

20926994105 US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Donhowe

Title: Product and process of making an alcohol containing sport drink

Serial No.: 10/047,411

Filed: 01/16/2002

Group Art Unit: 1761

Examiner: Sherrer

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TC 1700

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Dear Sir:

The Examiner is requested to consider the references cataloged on the enclosed Form during examination of the above-identified patent application. These references are submitted pursuant to the Applicant's duty of disclosure under 37 C.F.R. 1.56.

The references identified in the IDS may or may not be "material" to the patentability of one or more of the pending claims in this application pursuant to 37 C.F.R. 1.56. The submission of this IDS by the Applicant shall not be construed as an admission that any such patent, publication, or other reference referred to herein is, or is considered to be, material to patentability (37 C.F.R. 197(h)), or even qualifies as "prior art" under 35 U.S.C. 102 and 35 U.S.C. 103 with respect to this invention, unless specifically designated by the Applicant as such. In addition, the filing of this IDS shall not be construed to mean that a search has been made or that no other material information exists.

10/29/2003 SSANDARA 00000008 502808 10047411  
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This IDS is filed pursuant to 37 C.F.R. 1.97(c). Accordingly, please charge my deposit account no. 502808 the appropriate fee.

Date 10.23.2003



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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

		<b>Complete if Known</b>	
Application Number	10/047,411		
Filing Date	01/16/2002		
First Named Inventor	Donhowe		
Art Unit	1761		
Examiner Name	Sherrif		
Attorney Docket Number	PS0001		

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document <i>RECEIVED</i> <i>OCT 23 2003</i> <i>TC 1700</i>	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
1	US-	3988511			
2	US-	5919767			
3	US-	5294450			
4	US-	5439699			
5	US-	6037375			
6	US-	4992282			
7	US-	5851578			
8	US-	5114723			
9	US-	6171633			
10	US-	4810505-			
11	US-	5415885			
12	US-	3949098			
13	US-	4073947			
14	US-	4880643			
15	US-	20010002269	05-31-2001		
16	US-	20010008641	07-19-2001		
	US-				
	US-				

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.